

Membership Balance Plan

ENVIRONMENTAL PROTECTION AGENCY

1. FEDERAL ADVISORY COMMITTEE NAME

State the legal name of the FAC

The Hazardous Waste Electronic Manifest System Advisory Board

2. AUTHORITY

Identify the authority for establishing the FAC

The Hazardous Waste Electronic Manifest System Advisory Board (Board) is established as required by the provisions of the Hazardous Waste Electronic Manifest Establishment Act, 42 USC § 6939g (e-Manifest Act). The Board is in the public interest and supports the Environmental Protection Agency (EPA) in performing its duties and responsibilities.

3. MISSION/FUNCTION

Describe the mission/function of the FAC

The e-Manifest Board will provide recommendations on matters related to the operational activities, functions, policies, and regulations of the EPA under the e-Manifest Act, including:

- The effectiveness of the e-Manifest IT system and associated user fees and processes.
- Matters and policies related to the e-Manifest program.
- Issues in the e-Manifest area including issues identified in EPA's E-Enterprise strategy that intersect with e-Manifest.
- Regulations and guidance as required by the e-Manifest Act.
- Actions to encourage the use of the electronic (paperless) system.
- Changes to the user fees as described in Section 3024(c)(3)(B)(i).

4. POINTS OF VIEW

Based on understanding the purpose of the FAC,

- (a) describe the process that will be used to ensure the committee is balanced, and identify the categories*
(b) consider identifying an anticipated relative distribution of candidates across the categories; and
(c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members

As required by the e-Manifest Act, the e-Manifest Board will be composed of nine (9) members. One (1) member will be the EPA Administrator (or a designee), who will serve as Chairperson of the Board. The rest of the committee will be composed of:

- At least two (2) members who have **expertise in information technology**;
- At least three (3) members who have experience in **using or represent users of the manifest system** to track the transportation of hazardous waste under the e-Manifest Act;
- At least three (3) members who will be **State representatives** responsible for processing e-Manifests.

All members of the e-Manifest Board, with the exception of the EPA Administrator, will be appointed as Special Government Employees or representatives. The two individuals selected whom have expertise in information technology will be appointed as Special Government Employees.

5. OTHER BALANCE FACTORS

List any other factors EPA identifies as important in achieving a balanced FAC

Geographic location may be considered.

6. CANDIDATE IDENTIFICATION PROCESS

Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance.

The summary should:

- describe the process*
- identify EPA key staff involved (by position, not name)*
- briefly describe how FAC vacancies, if any, will be handled by EPA*
- state the membership term limit of FAC members, if applicable*

For appointment of members to the newly established e-Manifest Board the Designated Federal Officer (DFO) meets with EPA's Office of Diversity, Advisory Committee Management and Outreach (ODACMO) to discuss the outreach plan, establish a timeline, and other issues concerning the membership package. After approval of the outreach plan the DFO conducts outreach for members in accordance with the plan.

The DFO solicits nominee names through a Federal Register notice and from individuals who are actively engaged in states, hazardous waste industry and information technology arena related to the e-Manifest program.

After a review of the pool of nominees, a determination is made to consider whether additional outreach is needed. SGE candidates are researched to determine whether they are federally registered lobbyists and screened for the absence of financial conflicts of interest as well as the absence of an appearance of a lack of impartiality. The DFO develops a draft grid of nominees, including at least one additional candidate for each point of view for the function the committee is to perform.

A balance review of the proposed membership is then conducted by ODACMO and the Office of General Counsel FACA Attorney. Different levels of EPA managers then review the draft package for questions or comments before the final package is prepared.

Formal letters of invitation to serve on the e-Manifest Board will be extended by the Administrator or Deputy Administrator of EPA. This cycle will be repeated for any occurring vacancies. Board members will be appointed for two-year terms. Generally, members may be reappointed for a total of 6 years.

7. SUBCOMMITTEE BALANCE

Subcommittees subject to FACA should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

**This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

EPA plans to use the process that is used to determine advisory committee member balance for the parent (Tier 1) Federal advisory committee for any Tier 2 subcommittee(s) that may be created.

8. OTHER

Provide any additional information that supports the balance of the FAC

Not applicable.

9. DATE PREPARED/UPDATED

July 22, 2015